

# UNITED STATES DISTRICT COURT

for the

Western District of Texas

**FILED**

July 10, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America )  
v. )  
Luis David CASTELLANOS ) Case No. )  
 )  
 )  
 )  
 )

BY: MG CIENEGA  
DEPUTY

**Defendant(s)**

DR-23-M-1925

## **CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 8, 2023 in the county of Real in the Western District of Texas, the defendant(s) violated:

## Code Section

### *Offense Description*

8 U.S.C. § 1324(a)(1)(A)(v)(I) and (B)(iii) It shall be unlawful to knowingly and intentionally, conspire, combine, and confederate to transport and move and attempt to transport and move aliens within the United States by means of transportation and otherwise, while knowing and in reckless disregard of the fact that the aliens had come to, entered, and remained in the United States, and during and in relation to such transportation, the Defendants' conduct resulted in the serious bodily injury of one or more persons.

**This criminal complaint is based on these facts:**

**See Attachment A**

Continued on the attached sheet.

Complainant's signature

Shen Shao, HSI Special Agent

**Printed name and title**

Sworn to before me and signed in my presence.

Date: 07/10/2023

City and state: Del Rio, Texas

Matthew Watters, United States Magistrate Judge

**Printed name and title**

**DR-23-M-1925**

**ATTACHMENT A**

On July 8, 2023, Homeland Security Investigations (HSI) Del Rio was informed by Real County Sheriff's Office (RCSO) Deputies of a high-speed pursuit resulting in a roll over crash of a vehicle near Leakey, Texas, located within the jurisdiction of the Western District of Texas Federal Court. The crash caused serious bodily injury to three (3) undocumented noncitizens (UNCs) and minor injury to three (3) other UNCs. Prior to the crash, an RCSO deputy attempted to conduct a lawful traffic stop on a red in color Lincoln MKZ (TXLP: SWW7482) near Uvalde, Texas in Uvalde County, the vehicle failed to yield and fled at a high rate of speed exceeding 100 mph on Highway 83 towards Leakey, Texas. Eventually, the Lincoln MKZ crashed into the guard rail and rolled over several times. HSI Del Rio special agents (SAs) responded and determined the Lincoln MKZ to be a part of a failed human smuggling event.

Luis David CASTELLANOS, a United States citizen (USC), freely admitted to an RSCO Deputy and HSI Del Rio SAs that he was the driver of the vehicle. Jesus Fernando CASTELLANOS, also a USC, freely admitted to an RSCO Deputy and HSI Del Rio SAs that he was the front seat passenger of the vehicle.

The three (3) UNCs with minor injuries were transported to the Uvalde Regional Hospital for treatment. HSI Del Rio SAs conducted consensual witness interviews with the three (3) UNCs after they were discharged from the hospital on the morning of July 9, 2023. The UNCs stated after they illegally crossed into the United States (US) near Ciudad Acuna, Coahuila, Mexico, the foot guide told them a red vehicle will pick them up. The UNCs stated a red sedan pulled up to their location and there was a male driver and male front seat passenger in the sedan. Two (2) of the UNCs were in the trunk of the vehicle and four (4) UNCs were in the backseat. One of the UNCs was shown two different six-pack photo arrays and positively identified Luis CASTELLANOS as the driver and Jesus CASTILLANOS as the front seat passenger. The UNC also stated when law enforcement was attempting to pull the vehicle over, he told the driver to stop, don't run, but the driver ignored the request.

The facts of the case were presented to Assistant United States Attorney (AUSA) Joshua Banister who accepted federal prosecution against Luis and Jesus CASTELLANOS for a violation of Title 8, United States Code 1324, Conspiracy to Transport Illegal Aliens.